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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,403	02/20/2004	Lee Mantis	135/1A	6341
7590 12/15/2005			EXAMINER	
Schwartz Law Firm, P.C. SouthPark Towers Suite 530 6100 Fairview Road Charlotte, NC 28210			LARSON, JUSTIN MATTHEW	
			ART UNIT	PAPER NUMBER
			3727	
DATE MAILED: 12/15/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/783,403

Applicant(s)

MANTIS, LEE

Examiner

Justin M. Larson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/5/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 4/5/04 is noted. The submission is in compliance with the provisions of 37 CFR 1.97 and 1.98. Accordingly, the examiner is considering the information disclosure statement.

35 USC § 112, 6th Paragraph

2. Claims 1, 4, 8, 12, 17, and 18 are written in "means plus function" form and since they meet the analysis set forth in MPEP 2181, the Examiner assumes that applicant wishes to invoke 35 USC § 112, paragraph 6.

3. Claims 5, 6, 9, 10, 13, 14, and 19 attempt to use a "means" clause to recite a claim element as a means for performing a specified function, however, since this language does not meet the analysis set forth in MPEP 2181, i.e. "means for" or "step for" is not being used, or no function is set forth, or too much structure is set forth, the Examiner assumes that applicant does not wish to invoke 35 USC § 112, paragraph 6.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 recites the limitation "first organizer panel" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5, 8, 9, 12, 13 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golenz (US D432,490) in view of Stewart (US 5,503,316), and further in view of Crabill (US 2001/0054630).

Regarding claims 1, 8, and 12, Golenz discloses an organizer attachment for a vehicle sun visor having inside and outside major visor surfaces, the sun visor being pivotable between a raised position wherein the inside visor surface resides adjacent an interior ceiling of the vehicle and a lowered position wherein the outside visor surface resides adjacent a front windshield of the vehicle, said organizer attachment comprising: an organizer panel having opposing inside (J & C, Figure 1 below) and outside (G & D, Figure 2 below) major panel surfaces, at least one of said inside and outside panel surfaces defining an object storage area; at least one strap (K, Figure 2 below) adapted for extending across at least one of the inside and outside major visor surfaces of the sun visor; and means (J, C, D, or H, Figures below) located in said object storage area for carrying objects for ready access and use by an occupant of the vehicle.

Golenz does not disclose a fastener wrap attached to said at least one strap, the fastener wrap including releasable fastener means for engaging and releasably securing said organizer panel to the vehicle sun visor.

Now, Stewart discloses an attachment (10) mounted to a vehicle sun visor via a strap that wraps around the visor (Figure 4). Stewart teaches that the attachment is removeably attached to the strap using hook-and-loop type fasteners (66), allowing a user to quickly and conveniently remove the carrier from the visor (col. 1 lines 39-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer attachment of Golenz by removeably attaching the organizer panel to the visor-strap using hook-and-loop type fasteners, as taught by Stewart, in order to make it easier and more convenient for a user to remove the organizer panel from the visor.

The art as applied above still does not disclose a fastener wrap attached to said at least one strap, the fastener wrap including releasable fastener means for engaging and releasably securing said organizer panel to the vehicle sun visor. Crabill, however, also discloses an attachment releasably secured to a strap using hook-and-loop type fasteners. Crabill teaches that a fastener wrap including hook-and-loop type fasteners may be wrapped around the strap, the attachment then fastened to the fastener wrap, thus releasably securing the attachment to the strap. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer attachment of Golenz in view of Stewart, by using a fastener wrap, as taught by Crabill, rather than applying hook-and-loop type fasteners directly to both the strap and the organizer panel, in order to allow a user to quickly and conveniently remove the organizer attachment from the visor.

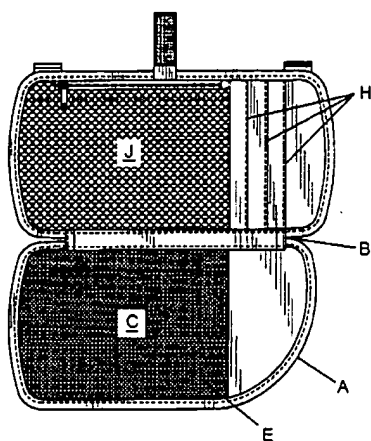


FIGURE 1 (from Golenz, Fig. 2)

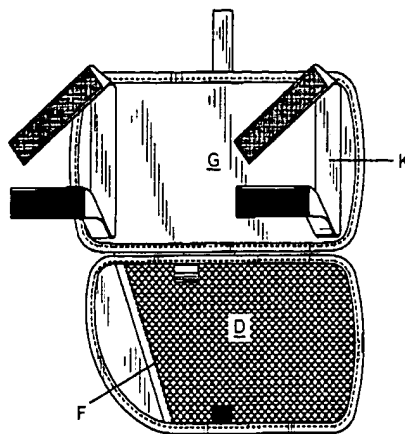


FIGURE 2 (from Golenz, Fig. 4)

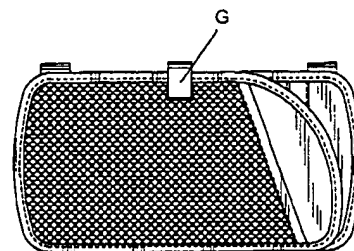


FIGURE 3 (from Golenz, Fig. 7)

Regarding claim 2, the inside and outside panel surfaces of the organizer panel of Golenz in view of Stewart, and further in view of Crabill define respective first and second object storage areas (J & C, Figure 1 above) for carrying objects for ready access and use by an occupant of the vehicle, effectively satisfying the limitations of the claim.

Regarding claims 3 and 16, the organizer attachment of Golenz in view of Stewart, and further in view of Crabill comprises a second organizer panel (A, Figure 1 above) attached along a longitudinal edge (B, Figure 1 above) of said first organizer panel, and having opposing inside and outside major panel surfaces comprising respective second and third object storage areas (C & D, Figures above), said second organizer panel adapted for pivoting movement between a closed position wherein said second object storage area overlies said first object storage area, and an open position for accessing each of said first and second object storage areas, and said third object

storage area being accessible in both the open and closed positions of said second organizer panel, effectively satisfying the limitations of the claim.

Regarding claims 4 and 17, the organizer attachment of Golenz in view of Stewart, and further in view of Crabill includes a means (G, Figure 3 above) for releasably holding the second organizer panel in the closed position, effectively satisfying the limitations of the claim.

Regarding claims 5, 9, and 13, the organizer attachment of Golenz in view of Stewart, and further in view of Crabill includes means for carrying objects, the means comprising a plurality of sleeves (H, Figure 1 above) adapted for receiving and storing respective compact disks, effectively satisfying the limitations of the claims.

Regarding claim 18, the organizer attachment of Golenz in view of Stewart, and further in view of Crabill comprises means (pockets, C & D, Figures above) located in said second and third object storage areas for carrying objects for ready access and use by an occupant of the vehicle.

Regarding claims 19 and 20, the organizer attachment of Golenz in view of Stewart, and further in view of Crabill does not disclose the second and third object storage areas each having a plurality of sleeves for holding compact disks or a plurality of utility pockets each having an elastic opening, however, it would have been obvious to one having ordinary skill in the art at the time the invention was made to place additional compact disk sleeves or utility pockets on the second and third object storage areas in order to allow a user to store more objects, and to allow their storage on more than just one of the four available panels. Examiner takes the position that rearranging

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the various utility pockets and compact disk sleeves among the organizer panels involves only routine skill in the art.

8. Claims 6, 7, 10, 11, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1, 8, and 12 in paragraph 7 above in view of Harbison (US 4,781,409), and further in view of Godshaw (US 6,742,636).

Regarding claims 6, 10, and 14, the art as applied to claims 1, 8, and 12 in paragraph 7 above discloses the claimed invention except for there being a plurality of utility pockets, each having an elastic opening.

Harbison, however, teaches that it is known in the art to provide a plurality of utility pockets on a panel of an organizer attachment for a vehicle sun visor (Figures 1 and 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer attachment of the art as applied to claims 1, 8, and 12 in paragraph 7 above by forming more than the one utility pocket, as taught by Harbison, on any of the organizer panels currently having only one utility pocket, as taught by Golenz, allowing a user to better store and organizer a greater number of objects on their vehicle sun visor.

Now, Godshaw discloses a carrying bag, but more particularly, discloses a utility pocket (70) on the bag that is formed with an elastic opening (76). Godshaw teaches that forming a pocket with this elastic opening helps to retain items within the pocket (col. 3 lines 25-27). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the organizer attachment of the art as applied to claims 1, 8, and 12 in paragraph 7 above by forming the utility pockets with

an elastic opening, as taught by Godshaw, in order to better retain objects with the pockets, the elastic helping to prevent object from falling out of the pockets.

Regarding claims 7, 11, and 15, the utility pockets of Golenz are shown to have openings extending along lateral dimensions of the organizer panel. Similarly, those of Harbison (Figure 2) are also shown to having openings extending along lateral dimensions of the organizer panel. Therefore, when forming the openings of the utility pockets of the art as applied to claims 1, 8, and 12 in paragraph 7 above in view of Harbison to include elastic, the elastic openings would in fact be along a lateral dimension of the organizer panel, effectively satisfying the limitations of the claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Larson whose telephone number is (571) 272-8649. The examiner can normally be reached on M-Th 7-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on (571) 272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JML
12/12/05


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SUPERVISORY PATENT EXAMINER